STATUTORY INSTRUMENTS

2010 No. 1934

ROAD TRAFFIC

The M42 Motorway (Southbound Carriageway between Junctions 10 – 9) (Temporary Restriction and Prohibition of Traffic) Order 2010

Made - - - -	*12 July 2010*
Coming into force - -	*19 July 2010*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M42 Motorway ("the M42"), is satisfied that traffic on a length of that motorway in the County of Warwickshire should be restricted and prohibited because works are proposed to be executed thereon:

NOW, THEREFORE, the Secretary of State, in exercise of the powers conferred by section 14 (1)(a) and (7) of the Road Traffic Regulation Act 1984 **(a)**, and of all other powers enabling him in that behalf, hereby makes the following Order:-

1. This Order may be cited as the M42 Motorway (Southbound Carriageway between Junctions 10 – 9) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 19 July 2010.

2. In this Order –

"the first length of motorway"	means the southbound carriageway of the M42 from a point 10 metres south of the centreline of the A51 Tamworth Road overbridge to a point 500 metres south of the bridge over the River Tame;
"the second length of motorway"	means the southbound carriageway of the M42 from a point 110 metres south of the centreline of the A51 Tamworth Road overbridge to a point 300 metres south of the bridge over the River Tame;
"the Regulations"	means the Motorways Traffic (England and Wales) Regulations 1982 (b);
"a hard shoulder"	means the hard shoulder, within the meaning of Regulation 3(1)(e) of the Regulations, which is adjacent to the second length of motorway;

(a) 1984 c.27; a new section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1

(b) S.I. 1982/1163, amended by S.I. 1983/374, 1984/1479, 1992/1364.

"the works period"	means the period starting at 21.00 hours on Monday 26 July 2010 and ending when the said works have been completed;

and a reference to an article followed by a number is a reference to the article in this Order which bears that number.

3. Subject as mentioned in articles 5 and 6, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of motorway.

4. Subject as mentioned in articles 5 and 6, no person shall, during the works period, cause or permit any vehicle to enter or proceed on the second length of motorway.

5. The provisions of articles 3 and 4 shall apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

6. The provisions of articles 3 and 4 shall not apply to any vehicle –

(a) being used for police, fire brigade or ambulance purposes; or

(b) proceeding at the direction of, or with the permission of, a police constable;

and nothing in article 4 shall apply to any vehicle being used for or in connection with the said works or by, or with the permission of, a traffic officer in uniform.

7. During the works period, regulations 5 and (in so far as it relates to a vehicle being driven) 9 of the Regulations are hereby suspended in respect of a hard shoulder, at such times and to such extent as may from time to time be indicated by traffic signs.

Signed by authority of the Secretary of State

A Slack
A Team Leader
12 July 2010 in the Highways Agency